

**SIXTIETH LEGISLATIVE DAY
THURSDAY, MARCH 9, 2006**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Shepherd(8), Wood. Total -- 2.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Lyndsey Vincent, Page.

Approval of Journal

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 8, 2006

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 413, H 434, H 435, and H 451

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 8, 2006

Mr. Speaker:

I return herewith enrolled **HCR 32** and **HCR 33** which have been signed by the President.

WOOD, Secretary

Enrolled **HCR 32** and **HCR 33** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 8, 2006

Mr. Speaker:

I return herewith enrolled **H 534**, as amended, which has been signed by the President.

WOOD, Secretary

Enrolled **H 534**, as amended, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 8, 2006

Mr. Speaker:

I transmit herewith **SJM 119, SCR 128, and SCR 129** which have passed the Senate.

WOOD, Secretary

SJM 119, SCR 128, and SCR 129 were filed for first reading.

March 8, 2006

Mr. Speaker:

I return herewith **HCR 46, H 457, H 483, H 672, H 579, H 580, H 581, H 708, H 411, H 490, H 493, H 410, H 463**, as amended, **H 603, H 608, H 547, H 559, H 685, H 590, H 475, H 548, H 549, H 550, and H 551** which have passed the Senate.

WOOD, Secretary

HCR 46, H 457, H 483, H 672, H 579, H 580, H 581, H 708, H 411, H 490, H 493, H 410, H 463, as amended, **H 603, H 608, H 547, H 559, H 685, H 590, H 475, H 548, H 549, H 550, and H 551** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 788, H 789, and H 790**, and House Amendments to **HJM 18, H 650, H 714, H 735, H 742, H 750, H 705, H 702, H 719, H 738, S 1389, and H 709**.

FIELD(18), Chairman

H 789 was referred to the Education Committee.

H 790 was referred to the State Affairs Committee.

H 788 was filed for second reading.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 571, H 574, H 536, H 591, H 592, H 700, H 701, H 564, H 566, H 465, H 560, H 578, H 452, H 585, H 586, H 471, H 461, H 444**, as amended, **H 473, H 459, and H 458**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 571, H 574, H 536, H 591, H 592, H 700, H 701, H 564, H 566, H 465, H 560, H 578, H 452, H 585, H 586, H 471, H 461, H 444**, as amended, **H 473, H 459** and **H 458**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 533**, as amended in the Senate, **H 601**, as amended in the Senate, **HJM 18**, as amended, **H 650**, as amended, **H 714**, as amended, **H 735**, as amended, **H 742**, as amended, **H 750**, as amended, **H 705**, as amended, **H 702**, as amended, **H 719**, as amended, **H 738**, as amended, and **H 709**, as amended.

FIELD(18), Chairman

H 533, as amended in the Senate, **H 601**, as amended in the Senate, **HJM 18**, as amended, **H 650**, as amended, **H 714**, as amended, **H 735**, as amended, **H 742**, as amended, **H 750**, as amended, **H 705**, as amended, **H 702**, as amended, **H 719**, as amended, **H 738**, as amended, and **H 709**, as amended, were filed for first reading of engrossed bills.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 477, H 488, H 436, H 453, H 462, H 464, H 414, H 454, H 556, H 577, H 446, H 448, H 447, H 415, H 476, H 575**, and **H 535** to the Governor at 11:55 a.m., as of this date, March 8, 2006.

FIELD(18), Chairman

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 760** and report it back with amendments attached to be placed on General Orders for consideration.

ROBERTS, Vice Chairman

H 760 was placed on General Orders for consideration.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **H 758** and **H 763** and recommend that they do pass.

BARRETT, Chairman

H 758 and **H 763** were filed for second reading.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 617, H 776, HCR 49, HCR 51**, and **HCR 53** and recommend that they do

pass.

BLOCK, Chairman

H 617, H 776, HCR 49, HCR 51, and **HCR 53** were filed for second reading.

March 8, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 663** and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

H 663 was placed on General Orders for consideration.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1351** and **S 1388** and recommend that they do pass.

DEAL, Chairman

S 1351 and **S 1388** were filed for second reading.

March 9, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 61** and **H 770** and recommend that they do pass.

BARRACLOUGH, Chairman

HCR 61 and **H 770** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 62

BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND REQUESTING THE LEGISLATIVE COUNCIL INTERIM COMMITTEE ON ENERGY, ENVIRONMENT AND TECHNOLOGY TO DEVELOP AN INTEGRATED STATE ENERGY PLAN THAT PROVIDES FOR THE STATE'S POWER GENERATION NEEDS AND PROTECTS THE HEALTH AND SAFETY OF THE CITIZENS OF IDAHO AND TO INVOLVE REPRESENTATIVES OF LOCAL GOVERNMENT, BUSINESS, AGRICULTURE AND INDUSTRY, THE ENVIRONMENTAL COMMUNITY, THE HEALTH CARE COMMUNITY AND STATE AGENCIES IN ITS STUDY AND INQUIRY AND TO REPORT BACK TO THE LEGISLATURE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in 2005, the Legislature adopted House Concurrent Resolution No. 16 which authorized the Legislative

Council to appoint a committee to undertake and complete a study of energy, environment and technology related issues from both the statewide perspective and the national perspective and to submit a final report to the First Regular Session of the Fifty-ninth Idaho Legislature; and

WHEREAS, the state of Idaho needs to have an integrated state energy plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho, and the products produced in this state; and

WHEREAS, the Interim Committee on Energy, Environment and Technology may be requested to meet before the end of the 2006 regular legislative session to begin to develop recommendations relating to an integrated energy plan; and

WHEREAS, the Interim Committee on Energy, Environment and Technology needs to identify existing air and water quality standards and to determine which air and water quality and siting standards apply to certain in-state coal fired power plants as part of an integrated Idaho state energy plan; and

WHEREAS, Idaho has firm power needs in the near future, and the Legislature and state government should work to ensure that those needs are met; and

WHEREAS, it is the goal of the Legislature to establish Idaho's air quality standards for certain coal fired power plants to maintain the health, safety and welfare of Idaho's citizens, the quality and financial security of existing agricultural businesses and industries, the economic growth of the state of Idaho, and the environmental quality and natural resources of this state.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislative Council Interim Committee on Energy, Environment and Technology is requested to develop an integrated state energy plan that provides for the state's power generation needs and protects the health and safety of the citizens of Idaho, and the products produced in this state.

BE IT FURTHER RESOLVED that the Legislative Council Interim Committee on Energy, Environment and Technology is requested to consider the air and water quality impacts, effects on existing industries, and allocation of water resources with regard to energy development.

BE IT FURTHER RESOLVED that the Interim Committee on Energy, Environment and Technology is requested to involve representatives of local government, business, agriculture and industry, the environmental community, the health care community and state agencies in its study and inquiry, and to make a report of its findings, recommendations and suggested legislation, if any, to the First Regular Session of the Fifty-ninth Idaho Legislature, including a recommendation as to whether the Interim Committee on Energy, Environment and Technology should be reappointed by the Legislative Council following the 2007 legislative session to continue its study and inquiry.

**HOUSE JOINT MEMORIAL NO. 22
BY WAYS AND MEANS COMMITTEE
A JOINT MEMORIAL**

TO THE PRESIDENT OF THE UNITED STATES, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING

THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, TO THE DIRECTOR-GENERAL OF THE WORLD HEALTH ORGANIZATION AND THE REPRESENTATIVE OF THE TAIPEI ECONOMIC AND CULTURAL REPRESENTATIVE OFFICE IN THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, direct and unobstructed participation in international health cooperation forums and programs is crucial for all parts of the world, especially with today's greater potential for the cross-border spread of various infectious diseases such as AIDS; and

WHEREAS, Taiwan's achievements in the field of health care are substantial, including life expectancy levels that are some of the highest in Asia, maternal and infant mortality rates that are comparable to those of western countries, free hepatitis B vaccinations for children and the eradication of polio, cholera, smallpox and the plague; and

WHEREAS, the Centers for Disease Control and Prevention and its Taiwanese counterpart have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, in recent years Taiwan has expressed a willingness to assist financially and technically, the international aid and health activities supported by the World Health Organization; and

WHEREAS, Taiwan's population of twenty-three million is larger than that of seventy-five percent of World Health Organization member states; and

WHEREAS, the United States, in its 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations; and

WHEREAS, Taiwan's participation in the World Health Organization could bring many benefits to the state of health, not only in Taiwan, but also regionally and globally.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the participation by Taiwan in a meaningful and appropriate way in the World Health Organization.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States, to the Director-General of the World Health Organization and the representative of the Taipei Economic and Cultural Representative Office in the United States.

HCR 62 and **HJM 22** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 119, by Judiciary and Rules Committee, was introduced, read the first time by title, and held at the Desk.

SCR 128, by State Affairs Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

SCR 129, by State Affairs Committee, was introduced, read the first time by title, and referred to the Business Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 791
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO A MORATORIUM ON CERTAIN COAL FIRED POWER PLANTS; AMENDING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 39-124 AND 39-125, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT AND TO PROVIDE A TWO YEAR MORATORIUM ON ISSUING ANY VARIANCES, LICENSES OR PERMITS FOR CONSTRUCTION OF CERTAIN COAL FIRED POWER PLANTS OR APPLYING FOR VARIANCES, LICENSES OR LOCAL CONDITIONAL USE, OR BUILDING OR AIR PERMITS; DECLARING AN EMERGENCY AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 792
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO CHANGE IN POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE OR NATURE OF USE OF WATER; AMENDING SECTION 42-108, IDAHO CODE, TO PROVIDE THAT LEGISLATIVE APPROVAL SHALL BE REQUIRED FOR A TIME CERTAIN FOR ANY PERMANENT OR TEMPORARY CHANGE IN POINT OF DIVERSION, PERIOD OF USE, OR NATURE OF USE FOR ANY WATER RIGHT OR COMBINATION OF WATER RIGHTS WITH A DIVERSION RATE EQUAL TO OR GREATER THAN TWO CFS OR FOR A STORAGE VOLUME EQUAL TO OR GREATER THAN ONE THOUSAND FOUR HUNDRED FIFTY ACRE-FEET IF THE USE OF SUCH RIGHT(S) IS IN CONJUNCTION WITH THE COAL FIRED GENERATION

**HOUSE BILL NO. 793
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DIVISION OF HUMAN RESOURCES FOR FISCAL YEAR 2007; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

**HOUSE BILL NO. 794
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS FOR THE AGRICULTURAL RESEARCH AND COOPERATIVE EXTENSION SERVICE PROGRAM FOR FISCAL YEAR 2007.

**HOUSE BILL NO. 795
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO SALARIES OF MEMBERS OF THE PUBLIC UTILITIES COMMISSION, THE STATE TAX COMMISSION AND THE INDUSTRIAL COMMISSION; AMENDING SECTION 61-215, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN SALARY FOR MEMBERS OF THE PUBLIC UTILITIES COMMISSION; AMENDING SECTION 63-102, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN SALARY FOR MEMBERS OF THE STATE TAX COMMISSION; AND AMENDING SECTION 72-503, IDAHO CODE, TO PROVIDE FOR AN INCREASE IN SALARY FOR MEMBERS OF THE INDUSTRIAL COMMISSION.

H 791, H 792, H 793, H 794, and H 795 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1389, as amended in the House, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 533, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was introduced, read the first time by title and filed for second reading.

H 601, as amended in the Senate, by Transportation and Defense Committee, was introduced, read the first time by title and filed for second reading.

HJM 18, as amended, **H 742**, as amended, **H 750**, as amended, and **H 702**, as amended, by Education Committee, were introduced, read the first time by title and filed for second reading.

H 650, as amended, by Resources and Conservation Committee, was introduced, read the first time by title and filed for second reading.

H 714, as amended, **H 735**, as amended, **H 719**, as amended, **H 738**, as amended, and **H 709**, as amended, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

H 705, as amended, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

H 782 and H 783, by Appropriations Committee, were read

the second time by title and filed for third reading.

H 762, HCR 55, and H 723, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1335, S 1250, S 1251, and S 1252, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1385 and S 1391, by Resources and Environment Committee, were read the second time by title and filed for third reading.

S 1379, by Education Committee, was read the second time by title and filed for third reading.

H 765, H 754, H 755, and H 757, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 726 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smylie to open debate.

Mr. Smylie asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 726**. There being no objection, it was so ordered.

The question being, "Shall **H 726** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 59.

NAYS -- Clark, Harwood, Lake, LeFavour, Sali. Total -- 5.

Absent and excused -- Bayer, Black, Crow, Raybould, Shepherd(8), Wood. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **H 726** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 744 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **H 744** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Chadderdon, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Rydalch, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 54.

NAYS -- Cannon, Clark, Harwood, Lake, LeFavour, Mitchell, Moyle, Ringo, Roberts, Rusche, Sali. Total -- 11.

Absent and excused -- Bayer, Black, Crow, Shepherd(8), Wood. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 744** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 450, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark and Mr. Bastian to open debate.

The question being, "Shall **H 450**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bastian, Bayer, Bedke, Bilbao, Clark, Ellsworth, Field(18), Hart, Harwood, Henderson, Kemp, Loertscher, McKague, Moyle, Nielsen, Ring, Sali, Schaefer, Skippen, Smith(24), Mr. Speaker. Total -- 23.

NAYS -- Anderson, Andrus, Bell, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Henbest, Jaquet, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 43.

Absent and excused -- Crow, Nonini, Shepherd(8), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 450**, as amended, failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

H 713, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon and Mr. Nonini to open debate.

The question being, "Shall **H 713**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderdon, Clark, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Barrett, Bolz, Collins, Hart, Harwood, Mitchell, Ringo. Total -- 7.

Absent and excused -- Shepherd(8), Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 713**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 1:15 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:15 p.m.

RECESS

Afternoon Session

The House reconvened at 1:15 p.m., Mr. Denney in the Chair.

Roll call showed 66 members present.

Absent and excused -- Garrett, Pasley-Stuart, Shepherd(8), Wood. Total -- 4.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 602, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wills to open debate.

Pursuant to Rule 38(3), Mr. Wills disclosed a conflict of interest regarding **H 602**, as amended.

The question being, "Shall **H 602**, as amended, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Cannon, Chadderdon, Crow, Deal, Denney, Edmunson, Field(18), Field(23), Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Mathews, Miller, Mitchell, Nielsen,

Nonini, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sayler, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 44.

NAYS -- Anderson, Andrus, Barrett, Bayer, Bedke, Bolz, Brackett, Bradford, Clark, Collins, Ellsworth, Eskridge, Hart, Lake, Loertscher, McGeachin, McKague, Moyle, Roberts, Sali, Schaefer, Stevenson. Total -- 22.

Absent and excused -- Garrett, Pasley-Stuart, Shepherd(8), Wood. Total -- 4.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 602**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Friday, March 10, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 2:30 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk